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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FEDERAL TRADE COMMISSION

Plaintiff,

v.

AMG SERVICES, INC., et al.

Defendants.

Case No. 2:12-cv-00536-GMN-VCF

**TUCKER DEFENDANTS' MOTION TO
WITHDRAW ATTORNEYS**

Pursuant to LR IA 11-6(b), Defendants Scott Tucker, Black Creek Capital Corporation, Level 5 Motorsports LLC, Broadmoor Capital Partners, LLC, and AMG Capital Management, LLC (the “Tucker Defendants) and attorneys Kathleen E. Sullivan, Sanford I. Weisburst, Justin C. Griffin, Jeffrey D. Morris, Nick J. Kurt, Von S. Heinz, E. Leif Reid and Darren Lemieux (“the Withdrawing Lawyers”) respectfully move the Court for leave to withdraw as attorneys in this case, stating as follows:

1. On September 30, 2016, the Court entered a final judgment in this case. (ECF No. 1057.) The Withdrawing Lawyers have prepared and submitted pleadings responsive to all post-judgment filings of the FTC. The Withdrawing Lawyers also have engaged on behalf of the Tucker Defendants in negotiations attempting to resolve the pending Motion for Order Directing Turnover of Assets (ECF No. 1059, “Turnover Motion”), the Motion for Appointment of a Receiver (ECF No. 1064 (filed under seal), “Receiver Motion”), and the oppositions filed thereto. Those negotiations will conclude, successfully or otherwise, prior to November 28, 2016. The Tucker Defendants’ deadline for filing a notice of appeal is November 29, 2016.

2. The Withdrawing Lawyers have confirmed that the Tucker Defendants have other legal counsel who will enter an appearance in this case and file a notice of appeal on the November 29, 2016 deadline. The Tucker Defendants and new counsel will prosecute that appeal.

3. With the entry of judgment and with new counsel entering an appearance to advance the appeal, Tucker Defendants’ attorneys Kathleen E. Sullivan, Sanford I. Weisburst, Justin C. Griffin, Jeffrey D. Morris, Nick J. Kurt, Von S. Heinz, E. Leif Reid and Darren Lemieux will cease representing the Tucker Defendants in this case.

4. Notice of the withdrawal of attorneys Kathleen E. Sullivan, Sanford I. Weisburst, Justin C. Griffin, Jeffrey D. Morris, Nick J. Kurt, Von S. Heinz, E. Leif Reid and Darren Lemieux has been provided to the Tucker Defendants and, as stated in the certificate of service, to opposing counsel. The Tucker Defendants consent to the withdrawal.

5. Because the Court has entered final judgment (ECF No. 1057), and because new attorneys are assuming responsibility for any further proceedings in this Court, the withdrawal of attorneys Kathleen E. Sullivan, Sanford I. Weisburst, Justin C. Griffin, Jeffrey D. Morris, Nick J. Kurt, Von S. Heinz, E. Leif Reid and Darren Lemieux shall not cause any delay of pretrial proceedings, discovery, the trial, or any hearing in this case. Defendants Nereyda Tucker, as Executor of the Estate of Blaine Tucker and Leadflash (the Blaine Tucker Defendants”) settled with the FTC, and the Court entered its final stipulation concerning that resolution, which concludes that matter outright with no further proceedings to take place. ECF No. 1085.

6. WHEREFORE, the Tucker Defendants and Kathleen E. Sullivan, Sanford I. Weisburst, Justin C. Griffin, Jeffrey D. Morris, Nick J. Kurt, Von S. Heinz, E. Leif Reid and Darren Lemieux respectfully move the Court for leave to withdraw Kathleen E. Sullivan, Sanford I. Weisburst, Justin C. Griffin, Jeffrey D. Morris, Nick J. Kurt, Von S. Heinz, E. Leif Reid and Darren Lemieux as attorneys in this case. The *pro hac vice* sponsorship by Von S. Heinz, E. Leif Reid and Darren Lemieux of Kathleen E. Sullivan, Sanford I. Weisburst, Justin C. Griffin, Jeffrey D. Morris and Nick J. Kurt terminates upon the order of withdrawal.

Dated: November 23, 2016

Respectfully submitted,

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SULLIVAN, LLP**

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9 --and--

10 **LEWIS ROCA ROTHGERBER CHRISTIE**
11 **LLP**

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1 IT IS SO ORDERED:

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4 ~~UNITED STATE DISTRICT JUDGE~~
5 UNITED STATES MAGISTRATE JUDGE

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7 DATED: December 1, 2016

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11 **CERTIFICATE OF SERVICE**

12 I hereby certify that on November 23, 2016, a true and correct copy of the foregoing was
13 electronically filed with the Clerk of the Court using the CM/ECF system, which will send a
14 notice of electronic filing to counsel of record receiving electronic notification.

15
16 /s/ Jeffrey D. Morris
17 Berkowitz Oliver LLP